

Mr. T. S. Narayana Ayyar (*Secretary to Government*).— I have answered that question more than once.

Mr. K. M. Kunhi Moideen (*Kattur*).—What is the nature of the measures which Government introduced during Budget sessions?

Mr. T. S. Narayana Ayyar (*Secretary to Government*).— I have already answered that question.

Mr. K. T. Mathew (*Kunnamkulam*).— I got permission to introduce a Bill in the Budget session.

5. Mr. K. M. Kunhi Moideen (*Kattur*).—Adverting to Question No. 233 and the answer thereon in the House, dated 7th August 1935, will the Government state the steps they have taken in pursuance of their assurance:

Question:—‘In view of the fact that the next Legislative Session comes so far beyond, will the Government consider the question whether some attempt could be made for legislation under the special powers vested in the Government?’

Answer:—‘Government will look into the matter and do everything to expedite the same?’

Mr. T. S. Narayana Ayyar (*Secretary to Government*).— The Member is referred to the answer to Question No. 4.

The Cochin Contempt of Courts Regulation— suspension of.

6. Mr. K. M. Ibrahim (*Cranganur*).—Will the Government state whether they intend to suspend their Regulation, XXXII of 1111, until the said Regulation will specify to the public at large the definition and scope of the term ‘Contempt’ in it?

Mr. T. S. Narayana Ayyar (*Secretary to Government*).— There is no necessity to suspend the Regulation.

Mr. K. M. Ibrahim (*Cranganur*).—Is not the absence of the definition and scope of the term ‘contempt’ in the Regulation, a defect of the Regulation?

Mr. T. S. Narayana Ayyar (*Secretary to Government*).— It was not considered a defect either by this House when it passed the Bill or by the Chief Court in a recent case under the Regulation.

Mr. K. M. Ibrahim (Cranganur).—Is it now being considered by the House?

Mr. President.—You cannot ask the Government's point of view. You can only ask for information.

Mr. K. M. Ibrahim (Cranganur).—Whether the absence of the definition of the term 'contempt' in the Regulation is not a defect?

Mr. T. S. Narayana Ayyar (Secretary to Government).—No, Sir. When the Bill was introduced in this House section 2 contained certain instances, by way of illustration, of what would amount to 'contempt of court'. Various points were then raised as to what would and what would not amount to 'contempt,' and opinions were divergent as to whether the illustrations should not be made more exhaustive both by amplification and exclusion, or whether the illustrations should not be omitted altogether in view of the fact that the term 'contempt' had a well understood meaning in law. The latter was considered safer and so the explanation was omitted by an agreed amendment passed by the House.

Mr. K. M. Ibrahim (Cranganur).—The measure is only very recent.

Mr. President.—The Hon'ble Member was saying what took place in the House. At question time I cannot allow the definition of the term 'Contempt of Court.'

Mr. K. M. Ibrahim (Cranganur).—Was not the explanation in the original Bill omitted in the Regulation?

Mr. T. S. Narayana Ayyar (Secretary to Government).—Yes.

Mr. K. M. Ibrahim (Cranganur).—Has not the omission of the Explanation from the Bill given the public to understand that those items have been excluded from the offences under the Regulation?

Mr. President.—The Hon'ble Member should not ask for an expression of opinion.

Mr. K. M. Ibrahim (Cranganur).—My question is whether it has not made the public of Cochin to misunderstand it. The public of Cochin have been made to understand that these items have been excluded from being offences under the Regulation, because they were in the original bill and subsequently

omitted, and by this unwarranted omission they want to victimise innocent people.

**The Cochin Contempt of Courts Regulation—
Repealing of.**

7. Mr. K. M. Ibrahim (*Cranganur*).—Will the Government state:—

(a) whether they intend to repeal their Regulation, XXXII of 1111;

(b) whether in this connection, their attention has ever been drawn to the judicial pronouncement in *Macleod V. St. Aubyn*, 1899, to the effect that 'Proceedings for scandalizing the Court itself were obsolete in England' (Vide A. C. page 549, House of Lords and Privy Council)?

Mr. T. S. Narayana Ayyar (*Secretary to Government*).—

(a) No.

(b) No.

Mr. K. M. Ibrahim (*Cranganur*).—(b) Will the Hon'ble Member inform the House whether the Government referred to this particular decision before answering this question?

Mr. T. S. Narayana Ayyar (*Secretary to Government*).—Ever since I got this question I have been trying to get a copy of the Book from the Chief Court and every time I asked for it I was told that it was in the hands of one or other of the Hon'ble Judges of the Chief Court.

Mr. K. M. Ibrahim (*Cranganur*).—Why can't you not keep one copy in the Huzur library?

**Complaints filed by Chozhi and Krishnan—
Special First Class Magistrate's
Court—Cranganur.**

8. Mr. K. M. Ibrahim (*Cranganur*).—Adverting to the assertions of the Cochin Government, namely, 'It was not thought necessary to prosecute the complainants, because there was some element of truth in it. The enquiry disclosed that it was non-cognisable offence'. 'All the rest except a minor assault are false'. (Vide page 311 of the Legislative Council Proceedings, dated 2nd August 1934). Will the Government state whether any court in Cochin has held that the incident, alleged